

AMENDED IN SENATE JUNE 25, 2003

AMENDED IN ASSEMBLY JUNE 2, 2003

AMENDED IN ASSEMBLY MARCH 27, 2003

CALIFORNIA LEGISLATURE—2003–04 REGULAR SESSION

## ASSEMBLY BILL

**No. 626**

**Introduced by Assembly Member Liu**

February 19, 2003

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An act to add Section 39800.5 to the Education Code, and to add Section 10326.1 to the Public Contract Code, relating to motor vehicles.

### LEGISLATIVE COUNSEL'S DIGEST

AB 626, as amended, Liu. ~~State vehicles~~ *Vehicles*: 15-passenger vans.

Existing law authorizes a governing board of a school district to purchase or lease vehicles to provide transportation of pupils to and from school. Existing law also authorizes the Department of General Services or a state agency, as authorized by the Department of General Services, to contract with suppliers to acquire goods and services for state agencies.

This bill makes legislative findings that 15-passenger vans are unsafe and declares the intent of the Legislature that all school districts, community colleges, and the California State University should be prohibited from acquiring 15-passenger vans.

This bill would prohibit school districts, community colleges, and the California State University, from acquiring a 15-passenger van, as defined, and would further require, beginning on and after January 1, 2005, that those school districts, community colleges, and the

California State University that already own a 15-passenger van on January 1, 2004, limit the operation of those vehicles to persons issued an endorsement for the operation of those vehicles and holding a class B driver's license.

The California Constitution authorizes the Regents of the University of California to enter into public contracts.

This bill would provide that the Legislature recommends that the Regents of the University of California adopt rules and regulations ~~imposing that would impose~~ upon the university the requirements contained in the bill.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. (a) The Legislature finds and declares that the  
2 National Transportation Safety Board has recently issued findings  
3 that 15-passenger vans, because of their design, ~~have an~~  
4 ~~inordinately high incidence of rollover crashes.~~ *are involved in a*  
5 *greater number of single-vehicle accidents that result in rollover*  
6 *crashes than other passenger vehicles.*

7 (b) It is the intent of the Legislature that all school districts,  
8 California Community Colleges, and the California State  
9 University, should be prohibited from purchasing or leasing  
10 15-passenger vans and that all school districts, California  
11 Community Colleges, and campuses of the California State  
12 University that currently own 15-passenger vans require that those  
13 vehicles may only be driven by a person holding a commercial  
14 driver's license.

15 SEC. 2. Section 39800.5 is added to the Education Code, to  
16 read:

17 39800.5. (a) Notwithstanding any other provision of law, on  
18 and after January 1, 2004, a school district may not purchase, lease,  
19 or otherwise acquire a 15-passenger van.

20 (b) Any school district that, on January 1, 2004, owns, leases,  
21 or otherwise has possession or control of a 15-passenger van, may  
22 not, on or after January 1, 2005, authorize the operation of that van  
23 unless the person driving or otherwise operating that van has both  
24 of the following:



1 (1) A valid class B driver's license, as provided in Division 6  
2 (commencing with Section 12500) of the Vehicle Code, issued by  
3 the Department of Motor Vehicles.

4 (2) An endorsement for operating a passenger transportation  
5 vehicle, as provided in Article 6 (commencing with Section  
6 15275) of Chapter 7 of Division 6 of the Vehicle Code, issued by  
7 the Department of Motor Vehicles.

8 (c) (1) Except as provided in paragraph (2), for purposes of  
9 this section, a "15-passenger van" means any van manufactured  
10 to accommodate 15 passengers, including the driver, regardless of  
11 whether that van has been altered to accommodate fewer than 15  
12 passengers.

13 (2) For purposes of this section, a "15-passenger van" does not  
14 mean a 15-passenger van with dual rear wheels that has a gross  
15 weight rating equal to, or greater than, 11,500 pounds.

16 SEC. 3. Section 10326.1 is added to the Public Contract Code,  
17 to read:

18 10326.1. (a) Notwithstanding any other provision of law, on  
19 and after January 1, 2004, California Community Colleges and the  
20 California State University may not purchase, lease, or otherwise  
21 acquire a 15-passenger van.

22 (b) A campus or a facility of a California Community College  
23 or a campus or a facility of the California State University, that, on  
24 January 1, 2004, owns, leases, or otherwise has possession or  
25 control of a 15-passenger van, may not, on or after January 1, 2005,  
26 authorize the operation of that van unless the person driving or  
27 otherwise operating that van has both of the following:

28 (1) A valid class B driver's license, as provided in Division 6  
29 (commencing with Section 12500) of the Vehicle Code, issued by  
30 the Department of Motor Vehicles.

31 (2) An endorsement for operating a passenger transportation  
32 vehicle, as provided in Article 6 (commencing with Section  
33 15275) of Chapter 7 of Division 6 of the Vehicle Code, issued by  
34 the Department of Motor Vehicles.

35 (c) (1) Except as provided in paragraph (2), for purposes of  
36 this section, a "15-passenger van" means any van manufactured  
37 to accommodate 15 passengers, including the driver, regardless of  
38 whether that van has been altered to accommodate fewer than 15  
39 passengers.

1     (2) For purposes of this section, a “15-passenger van” does not  
2 mean a 15-passenger van with dual rear wheels that has a gross  
3 weight rating equal to, or greater than, 11,500 pounds.

4     (d) The Legislature recommends that the Regents of the  
5 University of California adopt rules and regulations similar to the  
6 provisions contained in this section.

